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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/183,819 | BAKER ET AL. | |
| | Examiner Julian D. Huffman | Art Unit 2853 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the RCE filed 7 June 2004.
2. The allowed claim(s) is/are 1,2,6-11,14-25,27-36 and 43-52.
3. The drawings filed on 30 October 1998 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date 2/14/01.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

| | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____. | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

This application is in condition for allowance except for the presence of claims 37-41 drawn to an invention non-elected without traverse. Accordingly, claims 37-41 been cancelled.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

With regards to claims 1, 2, 6 and 10, the prior art of record does not suggest or disclose a first sensor mounted to a first carriage and a second sensor mounted to a second auxiliary carriage.

With regards to claims 7, 17 and 19-25, the prior art of record does not disclose a mechanism for advancing the hood along the sensing direction toward the recording medium.

With regards to claims 8 and 50 the prior art of record does not disclose a mechanism that advances the second sensor into a measurement position at only low velocity, a fraction of 13 inches per second, and low positioning accuracy on the order of the dimension of an individual patch.

With regards to claims 9, 18 and 52, the prior art of record does not disclose a mechanism for advancing a component associated with the second sensor into contact with the medium.

With regards to claim 11, the prior art of record does not disclose means for controlling the motor and drive train, while the carriages are attached, to position the first carriage and thereby the second carriage for substantially stationary operation in refining the quality of images.

In Hirano et al. and Vincent, no mention is made of positioning the carriage for substantially stationary operation in refining the quality of images. In Vincent the sensor presumably moves over the test patches and no mention is made of the sensor being in a substantially stationary position while taking readings, further Hirano prints while moving the carriage.

With regards to claims 14 and 51 the prior art of record does not disclose a first carriage holding a colorant placing module and a second carriage holding a sensor.

With regards to claims 15 and 16, the prior art of record does not disclose the sensor holding at least one reference target for presentation to the sensor.

With regards to claims 27-36 the prior art of record does not disclose means for measuring at least one absolute color reference when the door is not open.

With regards to claims 43-49, the prior art of record does not disclose the at least one reference target carried on the moving carriage.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571)272-2147. The examiner can generally be reached Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier, can be reached at (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JH

↑
Thinh Nguyen
Primary Examiner
Technology Center 2800

August 9, 2004